

FORM PTS-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>0273-0004</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <b>To Be Determined 10/009527</b>
INTERNATIONAL APPLICATION NO <b>PCT/EP00/05313</b>	INTERNATIONAL FILING DATE <b>08-June-2000</b>	PRIORITY DATE CLAIMED <b>08-June-1999</b>		
TITLE OF INVENTION <b>BIOLOGICAL JOINT CONSTRUCT</b>				
APPLICANT(S) FOR DO/EO/US <b>SCHAEFER, Dirk Johannes; KLEMT, Christof; STARK, Gerhard Bjorn; and FRIEDL, Hans-Peter</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31)</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4)</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> <li><input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li><input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>				
<b>Items 13 to 20 below concern document(s) or information included:</b> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li><input checked="" type="checkbox"/> Other items or information: <b>1) Declaration of Facts By Attorney for Inventor That Cannot Be Located; 2) Copy of published international patent application; 3) postcard.</b></li> </ol>				

U.S. APPLICATION NO. (IF KNOWN SEE 37 CFR To Be Determined <b>10/009527</b>		INTERNATIONAL APPLICATION NO <b>PCT/EP00/05313</b>	ATTORNEY'S DOCKET NUMBER <b>0273-0004</b>
24. The following fees are submitted..		<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b>			
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .		<b>\$1040.00</b> <b>\$890.00</b> <b>\$740.00</b> <b>\$710.00</b> <b>\$100.00</b> <b>\$890.00</b>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$890.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (c))		<input type="checkbox"/> 20	<input type="checkbox"/> 30
		<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	31 - 20 =	11	x \$18.00
Independent claims	1 - 3 =	0	x \$84.00
Multiple Dependent Claims (check if applicable).		<input type="checkbox"/> \$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$1,088.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status Sec 37 CFR 1.27) The fees indicated above are reduced by 1/2		<b>\$544.00</b>	
<b>SUBTOTAL =</b>		<b>\$544.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).		<input type="checkbox"/> 20	<input type="checkbox"/> 30
		+ <b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>		<b>\$544.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>		<b>\$544.00</b>	
		<b>Amount to be: refunded</b>	<b>\$</b>
		<b>charged</b>	<b>\$</b>
a. <input checked="" type="checkbox"/> A check in the amount of <b>\$544.00</b> to cover the above fees is enclosed.			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-0622</b> A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
<b>SHANKS &amp; HERBERT</b> TransPotomac Plaza 1033 North Fairfax Street, Suite 306 Alexandria, Virginia 22314 (703) 683-3600 (703) 683-9875 (facsimile)		 <b>S. Cermak</b> SIGNATURE <b>Shelly Guest Cermak</b> NAME <b>39,571</b> REGISTRATION NUMBER <b>12-10-01</b> DATE	